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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/607,188 | 06/26/2003 | Thor W. Nilsen | 374.1.016 |

WATOV & KIPNES, P.C.
 P.O. Box 247
 Princeton Junction, NJ 08550

CONFIRMATION NO. 6182
 FORMALITIES LETTER



OC000000010895428

Date Mailed: 09/22/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

08/31/2004 HAL111 00000017 10607188

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130.00 0P

*A copy of this notice **MUST** be returned with the reply.*

R. Wagner

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
374.1.016

In Re Application Of: **Thor W. Nilsen**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-------------------|----------------------|----------------|----------------|----------------|------------------|
| 10/607,188 | June 26, 2003 | Unknown | Unknown | 1645 | 6182 |

Invention:

NUCLEIC ACID ASSAY AND METHOD OF DETECTING THE PRESENCE OF A NUCLEIC ACID SEQUENCE

O I P E

AUG 3 0 2004

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is my response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on September 22, 2003.

Date

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- Other (list):

Recordation of Assignment

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

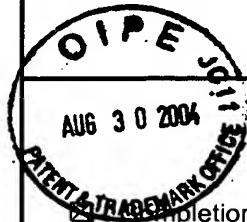
Docket No.

In Re Application Of: Thor W. Nilsen

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-------------------|----------------------|----------------|----------------|----------------|------------------|
| 10/607,188 | June 26, 2003 | Unknown | Unknown | 1645 | 6182 |

Invention:

NUCLEIC ACID ASSAY AND METHOD OF DETECTING THE PRESENCE OF A NUCLEIC ACID SEQUENCE



TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

Completion of application fees as calculated below:

Utility application filing fee _____

Design application filing fee _____

Total number of independent claims = _____

Total number of claims = _____

Multiple dependent claims _____

Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$130.00

Petition and fee for filing by other than all the inventors or a person not the inventor _____

Fee for processing an application filed with a non-English language specification _____

Fee for processing and retention of application _____

Total completion of application fees \$130.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month Two months Three months Four months Five months

from: _____ *Date*

until: _____
Date

Total time extension fees

Total fees due **\$130.00**

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)

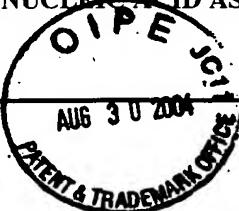
Docket No.
374.1.016

In Re Application Of: Thor W. Nilsen

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|-------------------------------|------------------------------|---------------------|-------------------------|------------------------|--------------------------|
| Application No. 10/607,188 | Filing Date June 26, 2003 | Examiner Unknown | Customer No. Unknown | Group Art Unit 1645 | Confirmation No. 6182 |
|-------------------------------|------------------------------|---------------------|-------------------------|------------------------|--------------------------|

Invention:

NUCLEIC ACID ASSAY AND METHOD OF DETECTING THE PRESENCE OF A NUCLEIC ACID SEQUENCE



TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of \$130.00 is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 23-0510 *additional*
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

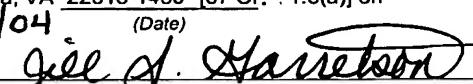
Dated: August 27, 2004

Allen R. Kipnes, Esq.
Registration No. 28,433

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CF. 1.8(a)] on

8/27/04 (Date)


Signature of Person Mailing Correspondence

Jill S. Garretson

Typed or Printed Name of Person Mailing Correspondence

CC: